

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO.1821 OF 2005

Vithalrao Rausaheb Bhosale & Ors. ..Appellants.

Vs.

Anandrao Haribhau Aswale & anr. ..Respondents.

...

Mr.A.V.Anturkar with Mr.S.B.Deshmukh for the
Appellants.

Mr.S.S.Patwardhan for the Respondents.

....

CORAM : DR.D.Y.CHANDRACHUD, J.

8th December, 2005.

P.C. :

Though it is numbered as a First Appeal,
under the provisions of the Bombay Public Trusts
Act, 1950 this Court cannot entertain the Appeal as
no substantial question of law is involved.

In paragraph 15 of the order, the
Additional District Judge, Kolhapur has indicated

the basis of his agreement with the approach of the Learned Trial Judge in rejecting both the change reports offered by the rival parties. There were serious irregularities which were found to have been committed by both the parties. In that view of the matter, the Court came to the conclusion that the change reports are not acceptable. No substantial question of law is involved.

The attention of the Court has been drawn to the order dated 19th June, 2001 of a Division Bench of this Court in Writ Petition 2828 of 2001 taking note of the fact that the Deputy Charity Commissioner has on 20th April, 2001 appointed the Head Master, Respondent No.1 in those proceedings to look after the management. The attention of the Court has been drawn to the fact that the First Petitioner who was the First Respondent in the earlier proceedings has since retired. There is no occasion for this Court to pass any directions in the present proceedings in regard to the arrangement that should be made for looking after the affairs of the trust in as much as these proceedings relate only to the change reports in respect of an earlier period, 1994 to 1999. The

Appeal is accordingly dismissed.